

09/689774

CofC



Docket No.: FGLICK 3.0-001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Glick et al.

Patent No.: 6,927,197

Issued: August 9, 2005

For: ANTIBACTERIAL COMPOSITIONS AND
METHOD OF USING SAME

Certificate
NOV 04 2005
of Correction

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR SUPPLEMENTAL CERTIFICATE OF CORRECTION
PURSUANT TO 37 CFR 1.322

Dear Sir:

Enclosed herewith is an original and one copy of a Certificate of Correction with respect to the above-identified U.S. Patent.

The inventors in the subject patent should be shown as **Francine Glick, Livingston, NJ (US); Eugene Puchalski, Jr., Jersey City, NJ (US); Annette Joubert, Whippany, NJ (US).**

The attention of the Office is called to the enclosed copies of the following:

(1) Request under 37 C.F.R. § 1.48(a) to Admit an Amendment to Correct Inventorship

(2) Declaration of Annette Joubert in Support of the Request to Admit Amendment

604916

NOV 08 2005

(3) Declaration of Annette Joubert

(4) Declaration and Consent by Assignee

There is no requirement for payment of a fee since the error was made by the Patent Office.

We look forward to early return of the copy of the Supplemental Certificate of Correction duly certified.

Dated: October 26, 2005

Respectfully submitted,

By 

Harvey L. Cohen

Registration No.: 28,365

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,927,197
APPLICATION NO. : 09/699,774
ISSUE DATE : August 9, 2005
INVENTOR(S) : Francine Glick, Eugene Puchalski, Jr., and Annette Joubert

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, under Inventors, after Eugene Puchalski, Jr., Jersey City, NJ (US), add "Annette Joubert, Whippany, NJ (US)"

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Harvey L. Cohen
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090

1

NOV 08 2005

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,927,197
APPLICATION NO. : 09/699,774
ISSUE DATE : August 9, 2005
INVENTOR(S) : Francine Glick, Eugene Puchalski, Jr., and Annette Joubert

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, under Inventors, after Eugene Puchalski, Jr., Jersey City, NJ (US), add "Annette Joubert, Whippany, NJ (US)"

MAILING ADDRESS OF SENDER (Please do not use customer number below):

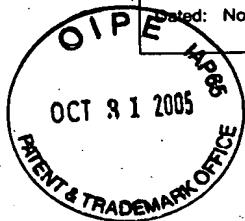
Harvey L. Cohen
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 30, 2004

Signature:

(Harvey L. Cohen)



DOCKET NO.: FGLICK 3.0-001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
Glick et al.

Application No. 09/699,774

Filed: October 30, 2000

For: ANTIBACTERIAL COMPOSITIONS
AND METHOD OF USING SAME

Art Unit: 1751

Examiner: P. Kumar

X

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

**REQUEST UNDER 37 C.F.R. § 1.48(a) TO ADMIT AN AMENDMENT
IN THE ABOVE-IDENTIFIED APPLICATION TO CORRECT INVENTORSHIP**

Dear Sir:

This Request is to admit the Amendment filed simultaneously herewith to correct inventorship under 37 C.F.R. Sec. 1.48(a) in the above-identified application, by adding the name and address of ANNETTE JOUBERT, a person originally, incorrectly and inadvertently omitted, without any intent to deceive, as a co-inventor in this application as originally filed, as follows: ANNETTE JOUBERT, a citizen of the United States residing at 11 Oak Glen Place, Whippany, NJ 07981.

In compliance with the requirements for the said Amendment under 35 C.F.R. 1.48(a) and this Request, attached are the following:

- (1) Declaration of ANNETTE JOUBERT, who, without intent to deceive, was incorrectly not named as a co-inventor of the subject matter as claimed in

the above-identified application, as originally filed; and

- (2) Declaration of FRANCINE GLICK, a principal of Water Journey Ltd., assignee of the subject patent application, consenting to the addition of ANNETTE JOUBERT as a co-inventor.

The facts relating to the inadvertent omission of Annette Joubert as a named inventor in the subject application are set forth in the accompanying Declaration of Ms. Joubert. In the Declaration, it is clear that the omission was inadvertent and arose because of lack of knowledge regarding the necessity and requirements for naming the proper inventor and without any intent to deceive.

Accordingly, the Amendment to correct the inventorship in accordance with these facts has been filed simultaneously herewith.

Correction of inventorship in a pending patent application, other than a reissue application, is permitted under 37 C.F.R. § 1.48. A suitable Amendment has been filed simultaneously herewith, together with this Petition and the supporting Declaration, a Declaration by the omitted inventor in accordance with Sec. 1.63 and a consent from Water Journey Ltd., assignee of the patent application, all as required under 37 C.F.R. § 1.48(a).

The Commissioner is authorized to charge Deposit Account No. 12-1095 in an amount to cover the fee for this Petition and for such other charges as are due and owing.

The Amendment to correct inventorship has met the requirements of Sec. 1.48(a). All the documents in support of the Petition set forth the facts which required the filing of the present Amendment. Accordingly, the Commissioner of Patents and Trademarks is respectfully requested to grant this Petition

Serial No. 09/699,774

Docket No.: FGLICK 3.0-001

and to admit the Amendment to correct inventorship in the above-identified application.

Dated: November 30, 2004

Respectfully submitted,

By 

Harvey L. Cohen

Registration No.: 28,365

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

518351_1.DOC



Docket No.: FGLICK 3.0-001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Glick et al.

Application No.: 09/699,774

Confirmation No.: 6958

Filed: October 30, 2000

Art Unit: 1751

For: ANTIBACTERIAL COMPOSITIONS AND
METHOD OF USING SAME

Examiner: P. Kumar

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

DECLARATION OF ANNETTE JOUBERT
IN SUPPORT OF THE REQUEST TO
ADMIT AMENDMENT TO CORRECT INVENTORSHIP

Dear Sir:

ANNETTE JOUBERT declares:

1. I am one of the actual and true inventors of the subject matter disclosed, shown and claimed in the above-identified patent application. The other co-inventors are FRANCINE GLICK and EUGENE PUCHALSKI, JR.

2. During the period prior to the time that the provisional patent application from which the above-identified application claims priority was filed, namely November 8, 1999, I was involved in the development of the subject matter that is claimed in the subject application with the other named inventors.

3. Prior to the filing of the provisional patent application, I had discussions with FRANCINE GLICK, one of the other named co-inventors, in which I informed her that I did not want to be involved in the preparation of the patent application, its prosecution or to be responsible for the costs associated therewith. From that time, responsibility for the preparation and filing of the provisional patent application, the non-provisional application and its prosecution was handled by others, including FRANCINE GLICK.

4. I had incorrectly believed that my name could be omitted as an inventor in view of my expressed intention not to be involved in the preparation, filing and prosecution of the application.

5. I was recently informed by FRANCINE GLICK that, based on her discussions with the patent attorney presently handling prosecution of the patent application and in view of my participation in the development of the subject matter claimed in the patent application, I am considered to be an inventor.

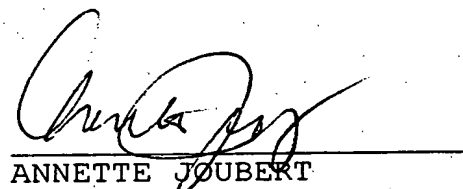
6. I did not have any knowledge regarding the designation of inventors when the provisional and non-provisional patent applications were filed and that the delay in naming me as an inventor was not intended to deceive or mislead and occurred only by reason of inadvertence and mistake on the part of FRANCINE GLICK and myself by reason of our limited

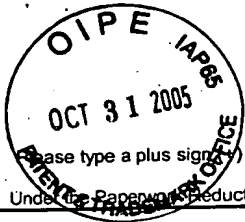
knowledge of the requirements regarding execution of the Application for U.S. Letters Patent by the actual and true inventors.

7. I have assigned and transferred the subject matter disclosed, shown and claimed in the above-identified patent application as well as the provisional patent application from which it claims priority to Water Journey Ltd.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 10-7-04, 2004


ANNETTE JOUBERT



Please type a plus sign (+) inside this box



PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration
Submitted
with Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number FGLICK 3.0-001

First Named Inventor Francine Glick

COMPLETE IF KNOWN

Application Number 09/699,774

Filing Date October 30, 2000

Group Art Unit 1751

Examiner Name Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ANTIBACTERIAL COMPOSITIONS AND METHOD OF USING SAME

(Title of the Invention)

the specification of which

☐ is attached hereto
OR

☒ was filed on (MM/DD/YYYY) 10/30/2000 as United States Application Number or PCT International

Application No. 09/699,774 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

COPY

Please type a plus sign (+) inside this box



Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number 000530

Direct all correspondence to:



Customer Number
or Bar Code Label

000530

OR



Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any))

Francine

Family Name
or Surname

Glick

Inventor's
Signature

Date

Residence: City Livingston

State NJ

United States of
America

Citizenship US

Mailing
Address:

75 Shrewsbury Drive

City Livingston

State NJ

ZIP

07039

Country United States of America

NAME OF SECOND INVENTOR:



A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any))

Eugene

Family Name
or Surname

Puchalski, Jr.

Inventor's
Signature

Date

Residence: City Jersey City

State NJ

United States of
America

Citizenship US

Mailing
Address:

129 McAdoo Avenue

City Jersey City

State NJ

ZIP

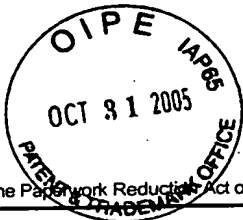
07305

Country United States of America



Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

LD-537A



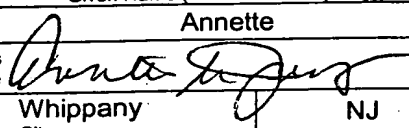
PTO/SB/02A (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
Page 1 of 1	

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Annette		Joubert	
Inventor's Signature 		Date 10-5-04	
Residence: City	State	United States of America	Citizenship
Whippany	NJ	US	
Mailing Address:	11 Oak Glen Place		
City	State	Zip	Country
Whippany	NJ	07981	United States of America
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country



DOCKET NO.: FGLICK 3.0-001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	:	
Glick et al.	:	
	:	
Application No. 09/699,774	:	Art Unit: 1751
	:	
Filed: October 30, 2000	:	Examiner: P. Kumar
	:	
For: ANTIBACTERIAL COMPOSITIONS	:	
AND METHOD OF USING SAME	:	
	:	
	X	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

DECLARATION AND CONSENT BY ASSIGNEE

Dear Sir:

WATER JOURNEY LTD., a New Jersey corporation having a place of business at 75 Shrewsbury Drive, Livingston, New Jersey 07039, consents to the entry of the Amendment to Correct Inventorship and declares as follows:

1. In the above-identified application, the named inventors, FRANCINE GLICK and EUGENE PUCHALSKI, JR., assigned and transferred to WATER JOURNEY LTD. their entire right, title and interest in, to and under the invention and the subject matter as shown, described and claimed in this application.

2. It was discovered, after this application was filed, that another person may have been an inventor but was incorrectly and inadvertently not named and that this arose without any deceptive intent.

3. The Attorneys of Record investigated this and determined that the unnamed person, ANNETTE JOUBERT, should have been named

Serial No. 09/699,774

as an inventor. Accordingly, concurrently herewith, the Attorneys have filed an Amendment to Correct Inventorship under 37 C.F.R. Sec. 1.48(a), by adding ANNETTE JOUBERT, together with the required Petition to admit this Amendment and the supporting Declarations therefor.

4. Each of the named inventors also has assigned and transferred his respective entire right, title and interest in, to and under the invention and the subject matter as shown, described and claimed in the subject application to WATER JOURNEY LTD.

5. Accordingly, by virtue of these assignments, WATER JOURNEY LTD. hereby consents to and approves entry of the Amendment to Correct Inventorship in the above-identified application so as to add the named inventor, ANNETTE JOUBERT, to the other actual and true inventors, FRANCINE GLICK and EUGENE PUCHALSKI, JR.

6. The undersigned hereby declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the subject application or any patent issued thereon.

WATER JOURNEY LTD.

Dated: 11/30/, 2004

Francine Glick
FRANCINE GLICK
PRESIDENT